

JULY 28, 2015

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MEETING MINUTES**

7:00 P.M.

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Hagan, with Councilors Ferguson, Drexel, Morrison, and Schwartz present along with City Attorney Fogo, City Manager Coleman, City Clerk Davidson, Acting City Manager/Police Chief Robinson, Electric Superintendent Dowis, Community Development Director Westbay, and several citizens. A Council quorum was present.

Consideration of Minutes of July 14, 2015, Regular Session Meeting. City Clerk Davidson mentioned that she had corrected a typographical error in the motion made to approve Ordinance No. 7, Series 2015, on first reading.

Councilor Ferguson moved and Councilor Drexel seconded the motion to approve the Regular Session Meeting Minutes of July 14, 2015, as corrected this evening.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison, Schwartz. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

Action on Pioneer Museum Subdivision Final Plat. Community Development Director Westbay came forward and introduced Mr. C.J. Miller and Mr. Lee Spann from the Gunnison County Pioneer Museum and Historical Society. Mr. Westbay reviewed the Minor Subdivision Application. The application is for an 8.16 acre parcel that was gifted to the Gunnison County Pioneer and Historical Society by Gunnison Valley Properties. The subdivision is being sought in order to establish clear title for the general warranty deed that will be executed and recorded. The deed will specify that the property has to be used for museum-related purposes. The subdivision will have a 40 foot easement on the south end that will be utilized for future utilities into the Gunnison Rising property and for non-motorized trail purposes. A ditch easement recorded in 1902 will be vacated and a new drainage ditch easement along the exiting ditch line will be established as a separate document from the Final Plat. The Planning Commission reviewed the application and recommends approval of SB 15-1 based on the Findings of Fact included in Council's packet materials. Mr. Miller explained the addition of the property will allow for expansion at the museum without crowding the railroad engine at the front of the property. They don't want clutter around the train. Mr. Spann thanked City Staff for their work on the application. The application couldn't have been accomplished without the assistance of the planner. It is gratifying working with people who are trying to find solutions, not putting roadblocks in the way. This will make the museum property more useable. Councilor Ferguson commended Mr. Miller and Mr. Spann on the improvements made at the Pioneer Museum. He stated he can understand why the museum is referred to as the Smithsonian of the Western Slope. It is truly an amazing facility.

Councilor Drexel moved and Councilor Ferguson seconded the motion to approve Minor Subdivision SB 15-1 Final Plat, for the Gunnison County Pioneer and Historical Society property.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

Action to Accept 2014 City Financial Audit. City Manager Coleman stated the audit was presented to Council at a previous Council meeting by the Auditor and Finance Director Cowan. If Council has no further questions, and is comfortable with accepting the audit, they can do so this evening or they can wait until the Finance Director is present. Councilor Ferguson stated he thought the auditor representative did a thorough job of presenting the audit report and didn't see a need to postpone the acceptance. The other Councilors concurred.

Councilor Schwartz moved and Councilor Morrison seconded the motion to accept the City of Gunnison's audited 2014 Financial Statements as presented on July 14, 2015.

Roll call vote, yes: Hagan, Morrison, Schwartz, Ferguson, Drexel. So carried.

Roll call vote, no: None.

Action on Brokerage Services Agreement Resolution. City Manager Coleman explained the Brokerage Services Agreement Resolution is required by National Financial Services LLC in order to open a brokerage account in the name of the City of Gunnison and, the Mayor needs to be authorized to sign the Agreement. The brokerage services were explained at a prior Council meeting.

Councilor Morrison moved and Councilor Schwartz seconded the motion to adopt the Corporate and Unincorporated Organization Resolution to authorize an account to be opened in the name of the City of Gunnison with National Financial Services LLC and to authorize the Mayor to sign the Agreement.

Roll call vote, yes: Morrison, Schwartz, Ferguson, Drexel, Hagan. So carried.

Roll call vote, no: None.

2nd Quarter 2015 Financials Update (discussion item only). City Manager Coleman stated that since Finance Director Cowan was not in attendance that this agenda item can be postponed until a later meeting. Council was in agreement with the suggestion.

Ordinance and Resolutions:

Ordinance No. 7, Series 2015, Re: City Criminal Code Marijuana Violations; 2nd Reading. Councilor Drexel introduced Ordinance No. 7, Series 2015, and it was read by title only by the City Attorney.

Councilor Drexel moved and Councilor Morrison seconded the motion that Ordinance No. 7, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AMENDING TITLE 5 GENERAL OFFENSES, CHAPTER 5.10 GENERAL OFFENSES OF THE CITY OF GUNNISON MUNICIPAL CODE, RELATED TO MARIJUANA**, be introduced, read, passed and ordered adopted on second and final reading this 28th day of July, 2015.

Roll call vote, yes: Schwartz, Ferguson, Drexel, Hagan, Morrison. So carried.

Roll call vote, no: None.

Ordinance No. 8, Series 2015; Re: Amending Chapter 12, Utilities of GMC Re: Time of Use Rate, 1st Reading. Councilor Schwartz introduced Ordinance No. 8, Series 2015, and it was read by title only by the City Attorney.

Councilor Schwartz moved and Councilor Drexel seconded the motion that Ordinance No. 8, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO AMENDING AN OPTIONAL RESIDENTIAL TIME-OF-DAY ELECTRICAL RATE FOR THE CITY OF GUNNISON ELECTRICAL DEPARTMENT**, be introduced, read, passed and ordered published on first reading this 28th day of July, 2015.

Roll call vote, yes: Ferguson, Drexel, Hagan, Morrison, Schwartz. So carried.

Roll call vote, no: None.

Set Public Hearing on Utility Ordinances No. 4 and 8, for September 8, 2015. City Clerk Davidson explained that State Statutes require a public hearing to be held, after 30 days public notice, for any changes to utility rates and programs. Therefore, a public hearing needs to be set for both Ordinance No. 4, Series 2015, that was passed on first reading in April regarding changes in the solar and wind power programs offered by the City and for Ordinance No. 8 as passed on first reading this evening. The public hearing will be advertised as a legal notice in the newspaper and a notice outlining the proposed changes will be mailed out to all utility customers with this month's billing.

Councilor Ferguson moved and Councilor Drexel seconded the motion to set the required public hearing on Ordinances No. 4 and 8, for 7:00 P.M. on Tuesday, September 8, 2015, in the City Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

Ordinance No. 9, Series 2015; Re: Amendment to Chapter 12 GMC Utilities, Re: Unpaid Utility Charges Lien Process; 1st Reading. Councilor Ferguson introduced Ordinance No. 9, Series 2015, and it was read by title only by the City Attorney.

Councilor Ferguson moved and Councilor Morrison seconded the motion that Ordinance No. 9, Series 2015, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AMENDING TITLE 12 UTILITIES, CHAPTER 12.40 UTILITY SERVICE RATES AND FEES, RULES AND REGULATIONS, SECTION 12.40.030 RULES AND REGULATIONS, H. LIEN ON PREMISES AND CHAPTER 12.60 GARBAGE COLLECTION AND RECYCLING SYSTEM, SECTION 12.60.120 PAYMENT OF CHARGES – WHEN DUE – DELINQUENCIES – LIEN**, be introduced, read, passed and ordered published on first reading this 28th day of July, 2015.

Roll call vote, yes: Drexel, Hagan, Morrison, Schwartz, Ferguson. So carried.

Roll call vote, no: None.

City Attorney Kathleen Fogo: no report this evening.

City Manager: Ken Coleman reported on the following: CityFest will take place on Thursday from 11:30am to 1:30pm at the covered rink in Jorgensen Park; closing on the Lazy K property will take place on August 3; the next Strategic Planning discussion will take place between Council and Staff on August 4th and the meeting will start at 5:30pm; slurry sealing of streets will take place on August 6th and 7th with refreshing of the street painting in the school zones scheduled to take place after the slurry; he attended the Airport Master Plan Open House on July 22nd and several improvement options were reviewed; an emergency response training took place at the City pool and it was a very valuable exercise; insulation is being installed on the Senior Addition this week with drywall to be installed next week; the City consultant is following up with the formation of a Metropolitan District in the Gunnison Rising Annexation area; a letter was sent to the County Clerk last Friday to hold the City's place for a possible ballot question on the November ballot; and details are being worked out on the possible ballot question regarding opting out of SB-152. City Staff and Councilor Schwartz held a conference call with CDOT last week to discuss possible changes to Tomichi and Main Street regarding increasing pedestrian and bicycle safety features. It is an uphill battle. The CDOT Engineer at the State level was included to help facilitate decision making. The City Bicycle Pedestrian Advisory Committee (BPAC) met with members of Gunnison Citizens for Safe Streets and they discussed the proposed streets program and how best to garner public opinion and input on street projects. The Safe Routes to Schools grant is being finalized and the remaining funds will be utilized for educational outreach and advertising. The citizen's group will participate in that educational outreach. Local architect Jody Reeser will be giving input on the design of the proposed dog park. The City will be gathering input on the project at CityFest. He will be gone the week of August 9th and the City is hosting the CML District 10 Outreach meeting in Gunnison on Monday, September 28th. It will be held at the WSCU ballroom. A Council discussion on possible design standards for buildings under 50,000 sq. ft. will take place on August 18th and Council will receive a presentation on the One Valley Prosperity Project/Better Cities Program on August 11th.

Acting City Manager: PD Chief Keith Robinson: informed Council his report was included in their packets. He discussed the following: activity has been pretty consistent month to month and year to year; the parking enforcement position has been filled for the first time since January; the VALE grant has provided funding for the Law Enforcement Advocate for 2015 and he is working on submitting the grant application for 2016 funding; training continues and includes both POST funded training for sworn officers and locally provided training; police officer required training mandates are being developed; our local Department already requires at least 40 hours of training per year; work continues on the Lexipol policy program and the policy is still in the rewrite process; the PD has been very busy around town this summer and will continue with the WSCU students returning; the PD does training for the RA's and RD's at Western as well as training for several of the sports teams; and the Department is inventorying the traffic and parking signs around town. Councilor Morrison commented on the great increased traffic presence around town. City Manager asked if more message trailer signs would be helpful. The Police chief stated we have two but three would be better. They can be a great resource and they do have one that tracks speed.

Council thanked Chief Robinson for his report and for all of the work that the department does. City Manager Coleman stated the Police Department is professional and pro-active. They are incredibly hardworking individuals and are to be congratulated for that hard work.

City Clerk: Gail Davidson informed Council she will register Councilors if they would like to attend the CML District 10 meeting in September. Just let her know if they want to attend.

Non-Scheduled Citizens: None.

City Council Discussion, Meeting Reports, Items for Work Session:

Councilor Morrison: reported she attended the BPAC meeting. That group set September 9th as the date for a “Bike and Walk Train” to school to educate kids and families about the safe routes to travel to the schools. She stated the group will be looking at developing a new color brochure/map of the safe routes to schools.

Councilor Schwartz: reported he sat in on the CDOT conference call. It was very interesting and informative to find out the District 3 personnel are hesitant to implement new highway ideas. He was impressed with the CDOT Engineer Ken Bruebaker in being more receptive to the new ideas and with Ken for trying to get the program information through to the District CDOT Engineers. The City Manager said we will persist.

Councilor Ferguson: informed Council he visited with several businesses this past weekend. Many are reporting it is the best business year they have had in a long time. There was a buzz of excitement downtown on Saturday morning. You could barely walk the sidewalks because of all of the people.

Mayor Pro Tem Drexel: informed Council Region 10 has a lot going on. Alternate parking was installed on Main Street in Montrose but that is not a CDOT highway. CDOT controls the bypass. Councilor Drexel reported there is \$4200 left in the Region 10 “Small Changes” Grant. Region 10 has a new phone system but it is experiencing some initial glitches. There has been a change in the State Transportation Director and there are three Transportation Commissioner openings. The State is \$70 million short for the I-70 east of I-25 rebuild project. The Business Loan Fund made 15 loans totaling approximately \$472,000 and the Region 10 Executive Committee will stay with the same members. And he heard at Region 10 that Mark Collins was selected as City Manager of Delta, Colorado. He has also received 3 emails concerning some issues at the ORSCH that ask that the City Manager and Mayor respond. Councilor Ferguson responded that it is not appropriate for the City to respond since it is not a political matter involving the City and it may be a criminal matter. Also, Vince Rogalski has done an outstanding job representing the region’s transportation issues to the Transportation Committee. He is to be commended for his years of service. He has been responsible for many regional opportunities.

Mayor Hagan: reported he attended the Airport Master Plan meeting and recommends going with the mid-range proposal. He is pleased to have the Citizens for Safe Streets involved with the BPAC group and looks forward to seeing the educational outreach. He attended the Upper Gunnison meeting last night and they have finished their Strategic Plan. The Raise the Roof fundraising concert for Habitat for Humanity is Friday night at the I-Bar and everyone is encouraged to attend. He has also received calls from several businesses that the businesses that were represented by the Chamber of Commerce at their last presentation to support the Visitor Center funding proposal were, in fact, not contacted.

Adjournment: Mayor Hagan called for any further discussion from Council, staff or the public, and hearing none, adjourned the meeting at 8:17 P.M.

Mayor

City Clerk